

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

COMCAST OF ILLINOIS X, LLC, an Illinois)	8:02CV429
Limited Liability Company,)	
)	
Plaintiff,)	
)	
vs.)	ORDER
)	
TKA ELECTRONICS, INC., and THOMAS)	
ABBOUD, individually, and CATHY VIGNERI,)	
individually, and KIM ABBOD, individually,)	
and RAYMOND VIGNERI, individually, and)	
TERRY ABBOD, individually,)	
)	
Defendants.)	

This matter is before the court on the Amended Report and Recommendation of the Bankruptcy Court, Filing No. 257, and on defendants Cathy and Ray Vigneri's renewed motion for an order releasing the asset freeze, Filing No. 258. The Bankruptcy Court recommends that this court withdraw the reference of this adversary proceeding for all further proceedings as to the non-debtor defendants, while staying any proceedings as to the debtors in the bankruptcy case, Terry and Kimberly L. Abboud.

Plaintiff has shown by affidavit that Kimberly L. Abboud has filed for bankruptcy protection along with her husband Terry Abboud. See Filing No. 256. Kimberly L. Abboud, the debtor in bankruptcy case no. 06-82118, is not a defendant in this action. See *id.* Kimberly M. Abboud and Thomas Abboud are defendants in this action. Accordingly, the automatic stay in effect as a result of the filing of the bankruptcy petition protects defendant Terry Abboud.

Comcast has no objection to the release of the asset freeze with respect to defendants Cathy and Ray Vigneri. Filing No. 250. Accordingly,

IT IS ORDERED:

1. The Amended Report and Recommendation of the Bankruptcy Court (Filing No. 257) is adopted.

2. The reference of this action to the Bankruptcy Court is withdrawn with respect to further proceedings against non-debtor defendants TKA Electronics, Thomas Abboud, Kimberly M. Abboud, Cathy Vigneri and Ray Vigneri.

3. All further proceedings against defendant Terry Abboud are stayed until further order of this court.

4. Defendants Cathy and Ray Vigneri's motion for a court order releasing the asset freeze (Filing No. 258) is granted.

5. The pending asset freeze with respect to the following assets of Cathy Vigneri and Ray Vigneri is released: any stocks, the retirement account (Metro Self Storage) held at Charles Schwab, and the personal residence located at 7718 Westgate Circle.

DATED this 28th day of February, 2007.

BY THE COURT:

s/ Joseph F. Bataillon
Chief Judge